

86th Legislative Session – 2011

Committee: Senate Commerce and Energy

Thursday, February 17, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Adelstein
P Buhl
P Johnston
P Lederman
P Rave
P Nygaard, Vice-Chair
P Nelson (Tom), Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by chair, Senator Tom Nelson.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, FEBRUARY 15, 2011

Moved by: Rave
Second by: Lederman
Action: Prevailed by voice vote.

SB 48: revise certain provisions regarding the consumption of distilled spirits in public and to provide certain penalties for consumption of alcoholic beverages.

MOTION: DO PASS SB 48

Moved by: Rave
Second by: Lederman
Action: Prevailed by roll call vote. (5-0-2-0)

Voting Yes: Adelstein, Buhl, Lederman, Rave, Nelson (Tom)

Excused: Johnston, Nygaard

SB 143: allow artisan distillers and farm wineries to sell certain distilled spirits to wholesalers and retailers.

See testimony of Tuesday, February 15, 2011

MOTION: DO PASS SB 143

Moved by: Adelstein

Second by: Lederman

Action: Prevailed by roll call vote. (4-3-0-0)

Voting Yes: Adelstein, Johnston, Lederman, Nygaard

Voting No: Buhl, Rave, Nelson (Tom)

SB 161: prohibit certain unfair or discriminatory practices based on age and veteran or military status.

Presented by: Senator Angie Buhl

Proponents: Wade Hubbard, State Veterans Commission

Sam Wilson, AARP, Sioux Falls

Mitch Richter, Equality South Dakota

Opponents: Linda Schauer, Concerned Women For America

Rita Houghlum, Eagle Forum

Aaron Arnold, Department of Labor

Lindsey Riter-Rapp, National Federation of Independent Business

David Owen, SD Chamber of Commerce & Industry

Shawn Lyons, SD Retailers Association

Chris Hupke, SD Family Policy Council

MOTION: AMEND SB 161

161ja

On page 4, line 11, of the printed bill, delete "of the United States armed forces" and insert "as defined in § 33-17-1".

On page 9, after line 4, insert:

"

Section 12. Nothing in this Act prohibits preferential treatment toward any veteran."

Moved by: Buhl
Second by: Nygaard
Action: Prevailed by voice vote.

MOTION: AMEND SB 161

161jb

On page 4, line 4, of the printed bill, delete "age".

On page 4, line 14, delete "age".

On page 4, line 20, delete "age".

On page 5, line 2, delete "age".

On page 5, line 15, delete "age".

On page 5, line 19, delete "age".

On page 6, line 2, delete "age".

On page 7, line 7, delete "age".

On page 7, line 15, delete "age".

On page 7, line 19, delete "age".

On page 8, line 10, delete "age".

On page 8, line 20, delete "age".

On page 9, line 3, delete "age".

Moved by: Nygaard
Second by: Lederman
Action: Prevailed by voice vote.

MOTION: DO PASS SB 161 AS AMENDED

James Marsh, Department of Labor, answered some questions of the committee

Moved by: Nygaard
Second by: Lederman
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Adelstein, Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

MOTION: AMEND TITLE OF SB 161

161jta

On page 1, line 2, of the printed bill, delete "age and".

Moved by: Adelstein
Second by: Nygaard
Action: Prevailed by voice vote.

SB 202: revise the State Workers' Compensation Advisory Council.

Presented by: Pam Roberts, Secretary, Department of Labor
Proponents: Paul Aylward, Public Employees Union, SD Afscme 59

MOTION: DO PASS SB 202

Moved by: Nygaard
Second by: Lederman
Action: Prevailed by roll call vote. (7-0-0-0)

Voting Yes: Adelstein, Buhl, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

MOTION: PLACE SB 202 ON CONSENT CALENDAR

Moved by: Adelstein
Second by: Buhl
Action: Prevailed by voice vote.

SB 182: require the inspection of certain property adjacent to lakes before the property may be transferred.

Presented by: Senator Jason Frerichs (Handouts: #1)
Proponents: Nancy Hilding, Prairie Hills Audubon Society
Opponents: Matt Krogman, SD Association of Realtors

MOTION: DEFER SB 182 TO THE 41ST LEGISLATIVE DAY

Moved by: Rave
Second by: Lederman
Action: Prevailed by roll call vote. (6-1-0-0)

Voting Yes: Adelstein, Johnston, Lederman, Rave, Nygaard, Nelson (Tom)

Voting No: Buhl

SB 180: impose a fee on certain pipelines carrying crude oil and to create a crude oil pipeline compensation fund that may be used in the event of a crude oil spill.

Presented by: Senator Jason Frerichs
Proponents: Luke Temple, Dakota Rural Action
Paul Seamans, Dakota Rural Action
John Harter, Winner, self
Michael Kearns, self, San Antonio, Texas
Nancy Hilding, Prairie Hills Audobon Society
Edward Ravington, Sierra Club, SD Chapter

THE CHAIR DEFERRED SB 180 UNTIL TUESDAY, FEBRUARY 22, 2011

MOTION: ADJOURN

Moved by: Rave
Second by: Buhl
Action: Prevailed by voice vote.

Lois Henry
Committee Secretary

Tom Nelson, Chair